

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**BMG RIGHTS MANAGEMENT  
(US) LLC, and ROUND HILL  
MUSIC LP**

Plaintiffs,

V.

Case No. 1:14-cv-1611(LO/JFA)

**COX COMMUNICATIONS, INC.,  
COXCOM, LLC**

Defendants.

## [Plaintiffs' Proposed] Verdict Form

We the jury, in the above captioned action, answer the questions submitted to us as follows:

### Question 1: Direct Infringement:

Did BMG prove by a preponderance of the evidence that users of Cox’s internet service used that service to infringe BMG copyrighted works?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered yes to Question 1, you should proceed to Questions 2 and 3.*

### Question 2: Contributory Infringement:

Did BMG prove by a preponderance of the evidence that Cox is liable for contributory infringement of BMG copyrighted works?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

*Please proceed to question 3.*

**Question 3: Vicarious Liability:**

Did BMG prove by a preponderance of the evidence that Cox has vicarious liability for infringement of BMG copyrighted works?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered yes to either question 2 or question 3, you should proceed to Questions 4 and 5.*

**Question 4: Willfulness:**

Did BMG prove by a preponderance of the evidence that Cox's conduct was willful?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

**Question 5: Damages:**

What is the total amount of statutory damages that you award to BMG?

Amount: \$ \_\_\_\_\_ Not more than \$209,550,000 (1,397 BMG copyrighted works x \$150,000)

*Please sign and return the verdict form*

December 14, 2015

Respectfully submitted,

/s/ Jeremy D. Engle

Jeremy D. Engle (VSB No. 72919)  
jengle@steptoe.com  
Paul Gennari (VSB No. 46890)  
pgennari@steptoe.com  
STEPTOE & JOHNSON, LLP  
1330 Connecticut Ave, NW  
Washington, DC 20036  
Tel.: (202) 429-3000  
Fax: (202) 429-3902

Walter D. Kelley, Jr. (VSB No. 21622)  
HAUSFELD, LLP  
1700 K Street, NW  
Washington, DC 20006  
Tel: (202) 540-7157  
Fax: (202) 540-7201

*Of Counsel*

Michael J. Allan (admitted *pro hac vice*)  
William G. Pecau (admitted *pro hac vice*)  
John M. Caracappa (admitted *pro hac vice*)  
Roger E. Warin (admitted *pro hac vice*)  
Jeffrey M. Theodore (admitted *pro hac vice*)  
Stephanie L. Roberts (admitted *pro hac vice*)  
STEPTOE & JOHNSON, LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036  
Tel.: (202) 429-3000  
Fax: (202) 429-3902

Michael O. Crain  
Crain Law Group, LLC  
The Bottleworks  
297 Prince Avenue, Suite 24  
Athens, Georgia 30601  
Tel. (706) 548-0970  
Fax: (706) 369-8869

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2015, I electronically filed a true and correct copy of the foregoing using the Court's CM/ECF system, which then sent a notification of such filing (NEF) to all counsel of record:

Craig C. Reilly (VSB No. 20942)  
craig.reilly@ccreillylaw.com

/s/ Jeremy D. Engle  
Jeremy D. Engle (VSB No. 72919)  
jengle@steptoe.com  
STEPTOE & JOHNSON, LLP  
1330 Connecticut Ave, NW  
Washington, DC 20036  
Tel.: (202) 429-3000  
Fax: (202) 429-3902